

5. (Twice amended). The clamping device as recited in claim 4 [as claimed in any one of claims 1 to 4] characterized in that a spring device [(9,12)] forces the pincer portions [(10)] apart in addition to the biasing force.

12. (Twice amended) The process as recited in claim 9 [to 11 wherein predetermined breaking points are stamped into the length of extruded plastic] further comprising the step of stamping predetermined breaking points into said length of extruded plastic.

30. (Once amended) The [A] process as recited in claim 10 [to 11 wherein predetermined breaking points are stamped into the length of extruded plastic] further comprising the step of stamping predetermined breaking points into said length of extruded plastic.

REMARKS

The Examiner is thanked for the Office Action of April 24, 2002. Claims 4-5, 9-10, 12, 22-23 and 30 remain pending in the application. The Examiner allowed claims 9 and 10 and objected to dependent claims 4, 5, 22 and 23 as dependent upon a base claim. Claim 4 has been rewritten independent format. Claim 5 has been rewritten to be dependent upon independent claim 4 and claims 22 and 23 are dependent upon claims 4 and 5 respectively. A clean version of the claims follows in Appendix A.

Rejection under 35 U.S.C. 112 ¶ 2

Claims 12 and 30 have been amended to use active steps and therefore are believed to overcome the 35 U.S.C. 112 ¶ 2 rejection for indefiniteness.

Rejection under 35 U.S.C. 103(a)

Claims 1-3, 8, 15, 19 and 27 have been cancelled without prejudice for the purposes of expediting prosecution of this Application and the Applicant expressly reserves the right to bring back these claims in a continuing application. However, since all the claims rejected under 35 U.S.C. 103(a) have been cancelled, the rejection is no longer relevant.